

Rec'd PCT/PTO 27 SEP 2005

PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

|                          |                   |
|--------------------------|-------------------|
| Attorney Docket Number   | 96700/952         |
| First Named Inventor     | Gary Brian Evans  |
| <b>COMPLETE IF KNOWN</b> |                   |
| Application Number       | 10/524,995        |
| Filing Date              | February 18, 2005 |
| Art Unit                 | Not yet known     |
| Examiner Name            | Not yet known     |

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INHIBITORS OF NUCLEOSIDE PHOSPHORYLASES AND NUCLEOSIDASES**

(Title of the Invention)

the specification of which

☐ is attached hereto

**OR**

☒ was filed on (MM/DD/YYYY)

08-21-2003

as United States Application Number or PCT International

Application Number **PCT/NZ2003/000186**

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
| 520919                              | NZ      | 08-21-2002                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**DECLARATION — Utility or Design Patent Application**

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OR



Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**



A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Gary Brian

Family Name or Surname

Evans

Inventor's Signature

Date

Residence: City

Lower Hutt

State

Country

New Zealand

Citizenship

New Zealand

Mailing Address

50 Pekanga Road

City

Lower Hutt

State

Zip

Country

New Zealand

**NAME OF SECOND INVENTOR:**



A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Richard Hubert

Family Name or Surname

Furneaux

Inventor's Signature

Date

Residence: City

Wilton

State

Wellington

Country

New Zealand

Citizenship

New Zealand

Mailing Address

35 Huntington Street

City

Wilton

State

Wellington

Zip

Country

New Zealand



Additional inventors or a legal representative are being named on the 2 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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PTO/SB/02A (09-04)

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# DECLARATION

## ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 1 of 2

|  |            |   |                 |
|--|------------|---|-----------------|
| Name of Additional Joint Inventor, if any: |            | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |
| Given Name (first and middle (if any))     |            | Family Name or Surname  |                 |
| Dirk Henning                               |            | Lenz  |                 |
| Inventor's Signature                       |            |   | Date            |
| Residence: City                            | State      | Country   | Citizenship     |
|  | Wellington | New Zealand   | German          |
| Mailing Address 85 Mills Road              |            |   |                 |
| City                                       | State      | Zip   | Country         |
|  | Wellington |   | New Zealand     |
| Name of Additional Joint Inventor, if any: |            | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |
| Given Name (first and middle (if any))     |            | Family Name or Surname  |                 |
| Vern L.                                    |            | Schramm   |                 |
| Inventor's Signature <i>Vern Schramm</i>   |            |   | Date 21 Sept 05 |
| Residence: City                            | State      | Country   | Citizenship     |
| New Rochelle                               | New York   | USA   | US              |
| Mailing Address 68 Hampton Oval            |            |   |                 |
| City                                       | State      | Zip   | Country         |
| New Rochelle                               | New York   | 10805   | USA             |
| Name of Additional Joint Inventor, if any: |            | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                 |
| Given Name (first and middle (if any))     |            | Family Name or Surname  |                 |
| Peter Charles                              |            | Tyler   |                 |
| Inventor's Signature                       |            |   | Date            |
| Residence: City                            | State      | Country   | Citizenship     |
| Northland                                  | Wellington | New Zealand   | New Zealand     |
| Mailing Address 143 Creswick Terrace       |            |   |                 |
| City                                       | State      | Zip   | Country         |
| Northland                                  | Wellington |   | New Zealand     |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental SheetPage 2 of 2

|   |                  |   |                         |
|---|------------------|---|-------------------------|
| <b>Name of Additional Joint Inventor, if any:</b> |                  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                         |
| Given Name (first and middle (if any))            |                  | Family Name or Surname  |                         |
| Olga Vladimirovna                                 |                  | Zubkova   |                         |
| Inventor's Signature                              |                  |   | Date                    |
| Residence: City                                   | State Wellington | Country New Zealand   | Citizenship New Zealand |
| Mailing Address 10 Montgomery Avenue              |                  |   |                         |
| City  | State Wellington | Zip   | Country New Zealand     |
| <b>Name of Additional Joint Inventor, if any:</b> |                  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                         |
| Given Name (first and middle (if any))            |                  | Family Name or Surname  |                         |
|   |                  |   |                         |
| Inventor's Signature                              |                  |   | Date                    |
| Residence: City                                   | State            | Country   | Citizenship             |
| Mailing Address                                   |                  |   |                         |
| City  | State            | Zip   | Country                 |
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|   |                  |   |                         |
| Inventor's Signature                              |                  |   | Date                    |
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| Mailing Address                                   |                  |   |                         |
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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐

Declaration  
Submitted  
With Initial  
Filing

OR

☒

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket  
Number

96700/952

First Named Inventor

Gary Brian Evans

COMPLETE IF KNOWN

Application Number

10/524,995

Filing Date

February 18, 2005

Art Unit

Not yet known

Examiner Name

Not yet known

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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was filed on (MM/DD/YYYY)

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as United States Application Number or PCT International

Application Number

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| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached? |                          |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | YES                      | NO                       |
| 520919                                 | NZ      | 08-21-2002                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

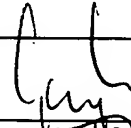
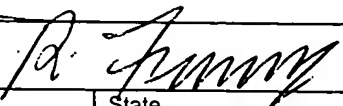
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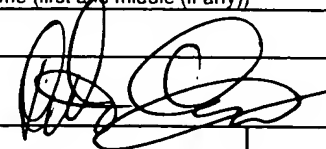
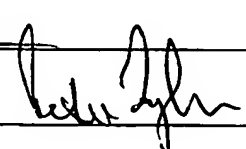
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**DECLARATION — Utility or Design Patent Application**

|   |  |  |   |                            |  |
|---|--|--|---|----------------------------|--|
| Direct all correspondence to:   |  | <input checked="" type="checkbox"/> The address associated with Customer Number: | 1912  | OR                         | <input checked="" type="checkbox"/> Correspondence address below |
| Name<br>Craig J. Arnold<br>Amster, Rothstein & Ebenstein LLP  |  |  |   |                            |  |
| Address<br>90 Park Avenue   |  |  |   |                            |  |
| City<br>New York  |  | State<br>New York  |   | ZIP<br>10016               |  |
| Country<br>USA  |  | Telephone<br>(212) 336-8000  |   | Fax<br>(212) 336-8001      |  |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |  |  |   |                            |  |
| NAME OF SOLE OR FIRST INVENTOR:   |  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                            |  |
| Given Name (first and middle [if any])<br>1-00 <u>Gary Brian</u>  |  |  | Family Name or Surname<br><u>Evans</u>  |                            |  |
| Inventor's Signature<br>  |  |  |   | Date<br>NZX<br>22-06-2005  |  |
| Residence: City<br><u>Lower Hutt</u>  |  | State  |   | Country<br>New Zealand     |  |
|   |  |  |   | Citizenship<br>New Zealand |  |
| Mailing Address<br>50 Pekanga Road  |  |  |   |                            |  |
| City<br>Lower Hutt  |  | State  |   | Zip                        |  |
|   |  |  |   | Country<br>New Zealand     |  |
| NAME OF SECOND INVENTOR:  |  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                            |  |
| Given Name (first and middle [if any])<br>2-00 <u>Richard Hubert</u>  |  |  | Family Name or Surname<br><u>Furneaux</u>                                     |                            |  |
| Inventor's Signature<br>   |  |  |   | Date<br>NZX<br>29 JUNE '05 |  |
| Residence: City<br><u>Wilton</u>  |  | State<br>Wellington  |   | Country<br>New Zealand     |  |
|   |  |  |   | Citizenship<br>New Zealand |  |
| Mailing Address<br>35 Huntington Street   |  |  |   |                            |  |
| City<br>Wilton  |  | State<br>Wellington  |   | Zip                        |  |
|   |  |  |   | Country<br>New Zealand     |  |
| <input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 2 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.   |  |  |   |                            |  |

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**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental SheetPage 1 of 2

|  |                         |   |                                |
|--|-------------------------|---|--------------------------------|
| <b>Name of Additional Joint Inventor, if any:</b>  |                         | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |
| Given Name (first and middle (if any))   |                         | Family Name or Surname  |                                |
| 300 <u>Dirk Henning</u>  |                         | <u>Lenz</u>   |                                |
| Inventor's Signature    |                         | NLX Date <u>05 July 2005</u>  |                                |
| Residence: City  | State <u>Wellington</u> | Country <u>New Zealand</u>  | Citizenship <u>German</u>      |
| Mailing Address <u>85 Mills Road</u>   |                         |   |                                |
| City   | State <u>Wellington</u> | Zip   | Country <u>New Zealand</u>     |
| <b>Name of Additional Joint Inventor, if any:</b>  |                         | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |
| Given Name (first and middle (if any))   |                         | Family Name or Surname  |                                |
| 400 <u>Vern L.</u>   |                         | <u>Schramm</u>  |                                |
| Inventor's Signature <u>NY</u>   |                         | Date  |                                |
| Residence: City <u>New Rochelle</u>  | State <u>New York</u>   | Country <u>USA</u>  | Citizenship <u>US</u>          |
| Mailing Address <u>68 Hampton Oval</u>   |                         |   |                                |
| City <u>New Rochelle</u>   | State <u>New York</u>   | Zip <u>10805</u>  | Country <u>USA</u>             |
| <b>Name of Additional Joint Inventor, if any:</b>  |                         | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |
| Given Name (first and middle (if any))   |                         | Family Name or Surname  |                                |
| 500 <u>Peter Charles</u>   |                         | <u>Tyler</u>  |                                |
| Inventor's Signature  |                         | NLX Date <u>23/06/2005</u>  |                                |
| Residence: City <u>Northland</u>   | State <u>Wellington</u> | Country <u>New Zealand</u>  | Citizenship <u>New Zealand</u> |
| Mailing Address <u>143 Creswick Terrace</u>  |                         |   |                                |
| City <u>Northland</u>  | State <u>Wellington</u> | Zip   | Country <u>New Zealand</u>     |

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**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental SheetPage 2 of 2

|   |                         |   |                                |
|---|-------------------------|---|--------------------------------|
| <b>Name of Additional Joint Inventor, if any:</b> |                         | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |
| Given Name (first and middle (if any))            |                         | Family Name or Surname  |                                |
| Olga Vladimirovna                                 |                         | Zubkova   |                                |
| Inventor's Signature <i>O. Zubkova</i>            |                         | Date <i>23/06/2009</i>  |                                |
| Residence: City                                   | State <u>Wellington</u> | Country <u>New Zealand</u>  | Citizenship <u>New Zealand</u> |
| Mailing Address <u>10 Montgomery Avenue</u>       |                         |   |                                |
| City  | State <u>Wellington</u> | Zip   | Country <u>New Zealand</u>     |
| <b>Name of Additional Joint Inventor, if any:</b> |                         | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |
| Given Name (first and middle (if any))            |                         | Family Name or Surname  |                                |
|   |                         |   |                                |
| Inventor's Signature                              |                         | Date  |                                |
| Residence: City                                   | State                   | Country   | Citizenship                    |
| Mailing Address                                   |                         |   |                                |
| City  | State                   | Zip   | Country                        |
| <b>Name of Additional Joint Inventor, if any:</b> |                         | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                                |
| Given Name (first and middle (if any))            |                         | Family Name or Surname  |                                |
|   |                         |   |                                |
| Inventor's Signature                              |                         | Date  |                                |
| Residence: City                                   | State                   | Country   | Citizenship                    |
| Mailing Address                                   |                         |   |                                |
| City  | State                   | Zip   | Country                        |

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Rec'd PCT/PTO 27 SEP 2005

PTO/SB/81 (09-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

|                        |                                  |
|------------------------|----------------------------------|
| Application Number     | 10/524/995                       |
| Filing Date            | February 18, 2005                |
| First Named Inventor   | Gary Brian Evans                 |
| Title                  | INHIBITORS OF NUCLEOSIDE . . . . |
| Art Unit               | Not yet known                    |
| Examiner Name          | Not yet known                    |
| Attorney Docket Number | 96700/952                        |

I hereby appoint:

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☐ Practitioner(s) named below:

| Name | Registration Number |
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|   |                                   |       |                |     |       |
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| <input checked="" type="checkbox"/> Firm or Individual Name | Craig J. Arnold                   |       |                |     |       |
| Address   | Amster, Rothstein & Ebenstein LLP |       |                |     |       |
| Address   | 90 Park Avenue                    |       |                |     |       |
| City  | New York                          | State | New York       | Zip | 10016 |
| Country   | USA                               |       |                |     |       |
| Telephone   | (212) 336-8000                    | Fax   | (212) 336-8001 |     |       |

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☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

|           |                         |           |                |
|-----------|-------------------------|-----------|----------------|
| Name      | Richard Hubert Furneaux |           |                |
| Signature | <i>R. Furneaux</i>      |           |                |
| Date      | 29 JUNE 2005            | Telephone | 764-4-931-3168 |

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

|                        |                                |
|------------------------|--------------------------------|
| Application Number     | 10/524/995                     |
| Filing Date            | February 18, 2005              |
| First Named Inventor   | Gary Brian Evans               |
| Title                  | INHIBITORS OF NUCLEOSIDE . . . |
| Art Unit               | Not yet known                  |
| Examiner Name          | Not yet known                  |
| Attorney Docket Number | 96700/952                      |

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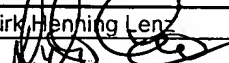
|                                     |                         |                                   |       |                |     |       |
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|           |   |  |  |           |                |
|-----------|---|--|--|-----------|----------------|
| Name      | Dirk Henning Lenz   |  |  |           |                |
| Signature |  |  |  |           |                |
| Date      | 05 July 2005  |  |  | Telephone | 0064-4-9313227 |

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| Application Number     | 10/524/995                       |
| Filing Date            | February 18, 2005                |
| First Named Inventor   | Gary Brian Evans                 |
| Title                  | INHIBITORS OF NUCLEOSIDE . . . . |
| Art Unit               | Not yet known                    |
| Examiner Name          | Not yet known                    |
| Attorney Docket Number | 96700/952                        |

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| City   |  | State |  | Zip |  |
| Country  |  |       |  |     |  |
| Telephone  |  | Fax   |  |     |  |

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|           |                     |           |  |
|-----------|---------------------|-----------|--|
| Name      | Vern L. Schramm     |           |  |
| Signature | <i>Vern Schramm</i> |           |  |
| Date      | 21 Sept 05          | Telephone |  |

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| Application Number     | 10/524/995                       |
| Filing Date            | February 18, 2005                |
| First Named Inventor   | Gary Brian Evans                 |
| Title                  | INHIBITORS OF NUCLEOSIDE . . . . |
| Art Unit               | Not yet known                    |
| Examiner Name          | Not yet known                    |
| Attorney Docket Number | 96700/952                        |

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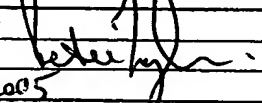
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|-------------------------------------|-------------------------|-----------------------------------|-------|----------------|-----|-------|
| <input checked="" type="checkbox"/> | Firm or Individual Name | Craig J. Arnold                   |       |                |     |       |
|                                     | Address                 | Amster, Rothstein & Ebenstein LLP |       |                |     |       |
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|           |   |  |  |           |              |
|-----------|---|--|--|-----------|--------------|
| Name      | Peter Charles Tyler   |  |  |           |              |
| Signature |  |  |  |           |              |
| Date      | 23/06/2005  |  |  | Telephone | 4624-9313062 |

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| <b>POWER OF ATTORNEY<br/>and<br/>CORRESPONDENCE ADDRESS<br/>INDICATION FORM</b> | Application Number     | 10/524/995                       |
|   | Filing Date            | February 18, 2005                |
|   | First Named Inventor   | Gary Brian Evans                 |
|   | Title                  | INHIBITORS OF NUCLEOSIDE . . . . |
|   | Art Unit               | Not yet known                    |
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|           |   |           |               |
|-----------|---|-----------|---------------|
| Name      | Olga Vladimirovna Zubkova   |           |               |
| Signature |  |           |               |
| Date      | 23/06/05  | Telephone | +64-4-9313065 |

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| Application Number     | 10/524,995                       |
| Filing Date            | February 18, 2005                |
| First Named Inventor   | Gary Brian Evans                 |
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| Art Unit               | Not yet known                    |
| Examiner Name          | Not yet known                    |
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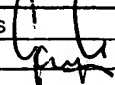
|                                     |                         |                                   |       |                |     |       |
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|-----------|---|-----------|----------------|
| Name      | Gary Brian Evans  |           |                |
| Signature |  |           |                |
| Date      | 27.06.2005  | Telephone | +644 586 586 7 |

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